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## TITLE V OPERATING PERMIT Issued under 20.2.70 NMAC

Certified Mail No: xxxx xxxx xxxx xxxx {Draft as of 12/30/2011}  
Return Receipt Requested

**Operating Permit No:** P018-R2-M1  
**Facility Name:** Thompson Compressor Station

**Permittee Name:** Williams Four Corners, LLC  
**Mailing Address:** 188 County Road 4900  
Bloomfield, NM 87413

**TEMPO/IDEA ID No:** 1191-PRT20110001  
**AIRS No:** 35-045-0184  
**Permitting Action:** Title V Significant Modification  
**Source Classification:** Major – Title V & PSD  
**Facility Location:** 36°50'03" N and 108°05'52" W  
**County:** San Juan

**Air Quality Bureau Contact:** Melinda Owens  
**Main AQB Phone No.** (505) 476-4300

**TV Permit Expiration Date:** XX/XX/2017  
**TV Renewal Application Due:** XX/XX/2016

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**Richard L. Goodyear, PE**  
**Acting Bureau Chief**  
**Air Quality Bureau**

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**Date**

**[Delete all below at time final permit submitted for signature.]**

File Name: TV\_PERMIT\_P018R2M1  
Save Date: 11/17/2011

TV Permit No:

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Print Date: 11/17/2011

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## **PART A      FACILITY SPECIFIC REQUIREMENTS**

### **A100   Introduction**

- A.    Not Applicable

### **A101   Permit Duration (expiration)**

- A.    This permit P018R2-M1 supersedes permit P018R2, and will expire on February 15, 2015. Application for renewal of this permit is due twelve (12) months prior to the date of expiration. (20.2.70.300.B.2 and 302.B NMAC)
- B.    If a renewal permit is not issued prior to the expiration date, the permittee may continue to operate beyond the expiration date, provided that a timely renewal application is submitted no later than twelve (12) months prior to the expiration date. (20.2.70.400.D NMAC)

### **A102   Facility: Description**

- A.    The function of the facility is to compress pipeline quality natural gas using natural gas-fired reciprocating engines and turbines.
- B.    This facility is located approximately 6 miles northwest of Aztec, New Mexico in San Juan County. (20.2.70.302.F NMAC)
- C.    This modification consists of the addition of one Solar Centaur Turbine, updating of emissions for particulates, equipment leaks (F1), truck loading (Unit F2), tank flashing & working/breathing emissions for Tanks 3 & 12 (into a single emissions cap). The operating parameters for existing engines (Units 2 & 3) and turbines (Units 1 & 9) are updated to match manufacturer's data. SSM are increased; Malfunctions emissions are included. This description is for informational purposes only and is not enforceable.
- D.    [Table 102.A](#) and [Table 102.B](#) show the total potential emissions from this facility for information only, not an enforceable condition, excluding insignificant or trivial activities.

**[Table 102.A: Total Potential Criteria Pollutant Emissions from Entire Facility](#)**

<b>Pollutant</b>	<b>Emissions (tons per year)</b>
Nitrogen Oxides (NOx)	328.8
Carbon Monoxide (CO)	159.0

Pollutant	Emissions (tons per year)
Volatile Organic Compounds (VOC)*	184.6
Total Suspended Particulates (TSP)	1.1
Particulate Matter less than 10 microns (PM <sub>10</sub> )	1.1
Particulate Matter less than 2.5 microns (PM <sub>2.5</sub> )	1.1

**Table 102.B: Total Potential HAPs that exceed 1.0 tons per year**

Pollutant	Emissions (tons per year)
Acetaldehyde	1.0
Formaldehyde	4.4
n-hexane	5.3
Toluene; (Methyl benzene)	1.0
Total HAPs**	12.5

\* VOC total includes emissions from HAPs, Fugitives, SSM, and Malfunction.

\*\* The total HAP emissions may not agree with the sum of individual HAPs because only individual HAPs greater than 1.0 tons per year are listed here.

### **A103 Facility: Applicable Regulations and Non-Applicable Regulations**

- A. The permittee shall comply with all applicable sections of the requirements listed in [Table 103.A](#).

**Table 103.A: Applicable Requirements**

Applicable Requirements	Federally Enforceable	Unit No.
NSR Permit No: 0761-M8 and 0761-M9 (Per 20.2.72 NMAC)	X	Entire Facility
20.2.7 NMAC Excess Emissions	X	Entire Facility
20.2.61 NMAC Smoke and Visible Emissions	X	1, 2, 9, and 14
20.2.70 NMAC Operating Permits	X	Entire Facility
20.2.71 NMAC Operating Permit Emission Fees	X	Entire Facility
20.2.72 NMAC Construction Permit	X	Entire Facility
20.2.73 NMAC Notice of Intent and Emissions Inventory Requirements	X	Entire Facility
20.2.74 NMAC Permits-Prevention of Significant Deterioration	X	Entire Facility
20.2.77 NMAC New Source Performance	X	1 and 9
40 CFR 50 National Ambient Air Quality Standards	X	Entire Facility
40 CFR 60, Subpart A, General Provisions	X	1, 9, 14
40 CFR 60, Subpart GG, Stationary Gas Turbines	X	1
40 CFR 60, Subpart KKKK, Stationary Gas Turbines	X	9 and 14

- B. Compliance with the terms and conditions of this permit regarding source emissions and operation demonstrate compliance with national ambient air quality standards specified at 40 CFR 50, which were applicable at the time air dispersion modeling was performed for the facility's NSR Permit 0761-M8.

#### **A104 Facility: Regulated Sources**

- A. [Table 104](#) lists all of the emission units authorized for this facility. Emission units that were identified as insignificant or trivial activities (as defined in 20.2.70.7 NMAC) and equipment not regulated pursuant to the Act are not included.

**Table 104: Regulated Sources List**

Unit No.	Source Description	Make Model	Serial No.	Capacity	Manufacture Date
1	Turbine	Solar Saturn 10-T1300	S428435	12.57 MMBtu/hr	9/10/1996
2	RICE, 4SLB	Waukesha 9390GL	76240	1864 hp	5/26/2000
3 *	RICE, 4SRB	White Superior 8GT825	X00130	958 hp	1971
9	Turbine	Solar Saturn 10-T1200	S401519	11.27 MMBtu/hr	3/21/2006
14 *	Turbine	Solar Centaur 40-4700S	TBD	36.68 MMBtu/hr	TBD
T-3	Condensate tank	NA	NA	21,000 gal	1985
T-12	Condensate tank	NA	NA	16,800 gal	2004
F-2	Truck Loading	NA	NA	NA	NA

\* Upon installation and start-up of Unit 14, Unit 3 shall be retired.

#### **A105 Facility: Control Equipment**

- A. The facility has no pollution control equipment.

#### **A106 Facility: Allowable Emissions**

- A. The following table(s) list the emission units, and their allowable emission limits. (40 CFR 50, Paragraphs 1, 7, and 8 of 20.2.70.302.A NMAC and NSR Permits 0761M8 & 0761M9).

**Table 106.A: Allowable Emissions**

Unit No.	<sup>1</sup> NO <sub>x</sub> pph	NO <sub>x</sub> tpy	CO pph	CO tpy	VOC pph	VOC tpy
1	4.6	20.1	7.7	33.6	< <sup>3</sup>	<
2	6.2	27.0	10.9	47.7	4.1	18.0
3 <sup>6</sup>	52.0	227.6	2.3	10.0	<	3.4

Unit No.	<sup>1</sup> NO <sub>x</sub> pph	NO <sub>x</sub> tpy	CO pph	CO tpy	VOC pph	VOC tpy
9	6.8	29.6	11.0	48.1	<	1.4
14 <sup>6</sup>	5.6	24.5	4.5	19.6	<	1.1
T-3 and T-12	- <sup>2</sup>	-	-	-	-- <sup>4</sup>	130.7
F-2	-	-	-	-	--	1.8
Total <sup>5</sup>		328.8		159.0		156.4

1 Nitrogen dioxide emissions include all oxides of nitrogen expressed as NO<sub>2</sub>

2 “-” indicates the application represented emissions as not expected for this pollutant.

3 “<” indicates the application represented uncontrolled emissions less than 1.0 pph or 1.0 tpy for this pollutant. Allowable limits are not imposed on this level of emissions, except for flares and pollutants with controls.

4 “--” indicates that no hourly limit is necessary, as evaluated by the Department.

5 Total allowables are for information, not enforceable conditions, and used to determine annual Operating Fees.

6 Upon installation and start-up of Unit 14, Unit 3 shall be retired.

- B. For Unit 1, the permittee shall comply with NSPS Subpart GG NO<sub>x</sub> emissions limitation of 150 ppmv at 15 % O<sub>2</sub>, dry basis (40 CFR 63.332).
- C. For Unit 1, the permittee shall comply with NSPS Subpart GG SO<sub>2</sub> emissions limitation of 0.015% by volume at 15% O<sub>2</sub> dry basis or through use of any fuel not exceeding 8000 ppmw (40 CFR 60.333).
- D. For Units 9 and 14, the permittee shall comply with NSPS Subpart KKKK NO<sub>x</sub> emissions limitation of 100 ppmv at 15 % O<sub>2</sub>, dry basis or shall not exceed 690 ng NO<sub>x</sub>/J useful output (5.5 lb/MW/hr) when combusting natural gas (40 CFR 60.4320).
- E. For Units 9 and 14, the permittee shall comply with NSPS Subpart KKKK SO<sub>2</sub> emissions limitation of 110 ng SO<sub>2</sub> /J gross output (0.90 lb/MW-hr) or not combust any fuel which contains total potential sulfur emissions in excess of 26 ng SO<sub>2</sub>/J heat input (0.060 lb/MMBtu) (40 CFR 60.4330).

#### **A107 Facility: Allowable Startup, Shutdown, & Maintenance & Malfunction Emissions**

- A. The maximum allowable SSM and Malfunction emission limits for this facility are listed in [Table 107.A](#) and were relied upon by the Department to determine compliance with applicable regulations..

**Table 107.A: Allowable SSM and Malfunction Units, Activities, and Emission Limits**

Unit No.	Description	VOC (tpy)
SSM from 1a, 2a, 3a, 9a, 14a	Turbine and engine compressors & associated piping blowdowns during routine and predictable Startup, Shutdown, and/or Maintenance (SSM)	12.4
M1	Venting <sup>2</sup> of Gas due to Malfunctions.	10.0
	Total <sup>1</sup>	22.4

- 1 Totals are for information only, not enforceable conditions.
- 2 This authorization does not apply to VOC emissions from combustion sources.

B. The authorization of emission limits for startup, shutdown, maintenance, and malfunction does not supersede the requirements to minimize emissions according to Conditions B101.C and B107.A.

C. SSM VOC Emissions

<b>Requirement:</b> The permittee shall perform a facility inlet gas analysis once every year and complete the following recordkeeping to demonstrate compliance with routine and predictable startup, shutdown, and maintenance (SSM) emission limits.
<b>Monitoring:</b> The permittee shall contemporaneously record all routine and predictable startups and shutdowns and scheduled maintenance events. To demonstrate compliance, the permittee shall calculate the total VOC emissions on a monthly rolling 12 month basis, including the volume of total gas vented in MMscf using the number of events and associated volume of each event and the percent VOC of the gas based on the most recent gas analysis.
<b>Recordkeeping:</b> The permittee shall record the demonstrated compliance in accordance with Condition B109E, except the requirement in B109.E(2) to record the start and end times of SSM events shall not apply to the venting of known quantities of VOC.
<b>Reporting:</b> The permittee shall report in accordance with Section B110.

D. Malfunction VOC Emissions

<b>Requirement:</b> The permittee shall perform a facility inlet gas analysis once every year and complete the following recordkeeping to demonstrate compliance with malfunction (M1) emission limits.
<b>Monitoring:</b> The permittee shall contemporaneously record all malfunction events that result in VOC emissions including identification of the equipment or activity that is the source of emissions. The permittee shall indicate whether the emissions resulting from the event will be used toward the permitted malfunction emission limit or whether the event is reported under 20.2.7 NMAC. To demonstrate compliance, the permittee shall calculate the total VOC emissions on a monthly rolling 12 month basis, including the volume of total gas vented in MMscf and the percent VOC of the gas based on the most recent gas analysis.
<b>Recordkeeping:</b> The permittee shall record the demonstrated compliance in accordance with Condition B109.E, except the requirement in B109.E(3) to record the start and end times of malfunction events shall not apply to the venting of known quantities of VOC.
<b>Reporting:</b> The permittee shall report in accordance with Section B110.

**A108 Facility: Hours of Operation**

A. This facility is authorized for continuous operation. No monitoring, recordkeeping, and reporting requirements are required to demonstrate compliance with continuous hours of operation.



**A109 Facility: Reporting Schedules**

- A. A Semi-Annual Report of monitoring activities is due within 45 days following the end of every 6-month reporting period. The six month reporting periods start on October 1<sup>st</sup> and April 1<sup>st</sup> of each year.
- B. The Annual Compliance Certification Report is due within 30 days of the end of every 12-month reporting period. The 12-month reporting period starts on October 1<sup>st</sup> of each year.

**A110 Facility: Fuel Sulfur Requirements**

- A. For Units 1, 2, 3, 9, & 14

**Requirement:** All combustion emission units shall only combust natural gas containing no more than 0.25 grains of total sulfur per 100 dry standard cubic feet. Compliance with this limit shall also demonstrate compliance with the NSPS Subpart GG sulfur limit at Condition A106.C and A106.E.

**Monitoring:** For Unit 1, the permittee shall monitor the total sulfur content of the fuel being fired using the Custom Fuel Monitoring Schedule attached in Appendix A or maintain the specified records below. For Units 2, 3, 9, & 14, the permittee shall maintain the specified records below.

**Recordkeeping:** The permittee shall demonstrate compliance with the natural gas limit on total sulfur content by maintaining records of a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel. Alternatively, the sulfur content of fuel gas shall be measured and recorded annually using the stain tube method.

**Reporting:** The permittee shall report in accordance with Section B110.

**A111 Facility: 20.2.61 NMAC Opacity**

- A. For Units 1, 2, 3, 9, & 14

**Requirement:** All combustion units shall not exceed 20% opacity.

**Monitoring:** Use of natural gas fuel as specified in Condition A110.A constitutes compliance with 20.2.61 NMAC unless opacity exceeds 20% averaged over a 10-minute period. When any visible emissions are observed during steady state operation, opacity shall be measured over a 10-minute period, in accordance with the procedures at 40 CFR 60, Appendix A, Method 9 as required by 20.2.61.114 NMAC.

**Recordkeeping:** The permittee shall record dates of any opacity measures and the corresponding opacity measurements.

**Reporting:** The permittee shall report in accordance with Section B110.

**EQUIPMENT SPECIFIC REQUIREMENTS****OIL AND GAS INDUSTRY****A200 Oil and Gas Industry**

- A. This section has common equipment related to most Oil and Gas Operations.

**A201 Engines**

- A. Periodic Testing (Units 2 and 3)

<b>Requirement:</b> The permittee shall comply with the allowable emission limits.
<b>Monitoring:</b> The permittee shall test using a portable analyzer subject to the requirements and limitations of Section B108, General Monitoring Requirements. For periodic testing of NO <sub>x</sub> and CO emissions tests shall be carried out as described below. Test results that demonstrate compliance with the NO <sub>x</sub> and CO emission limits shall also be considered to demonstrate compliance with the VOC emission limits. (a) The monitoring period shall be annually. (b) The first test shall occur within the first monitoring period occurring after permit issuance. (c) All subsequent monitoring shall occur in each succeeding monitoring period. No two monitoring events shall occur closer together in time than 25% of a monitoring period. (d) Follow the General Testing Procedures of Section B111.
<b>Recordkeeping:</b> The permittee shall maintain records in accordance with Section B109.
<b>Reporting:</b> The permittee shall report in accordance with Section B110.

- B. Maintenance and Repair Monitoring (Units 2 and 3)

<b>Requirement:</b> The permittee shall comply with the allowable emission limits.
<b>Monitoring:</b> Maintenance and repair shall meet the minimum manufacturer's or permittee's recommended maintenance schedule. Maintenance and repair activities that involve adjustment, replacement, or repair of functional components with the potential to affect operation of an emission unit shall be documented as they occur for the following events: (a) Routine Maintenance that takes a unit out of service for more than two hours during any twenty-four hour period. (b) Unscheduled repairs that require a unit to be taken out of service for more than two hours in any twenty-four hour period.
<b>Recordkeeping:</b> The permittee shall maintain records in accordance with Section B109.
<b>Reporting:</b> The permittee shall report in accordance with Section B110.

**A202 Glycol Dehydrators – Not required****A203 Tanks**

- A. Tank Throughput and Separator Pressure (Tank Units T-3 and T-12 and Truck Loading Unit F-2)

**Requirement:** To comply with allowable emission limits, total condensate throughput shall not exceed 13,770 bbl/year (578,340 gal/yr) to Units T-3 and T-12 combined. The separator pressure shall not exceed 272 psia. The annual truck loadout volume shall not exceed allowable tank throughput.

**Monitoring:** The permittee shall monitor the monthly total throughput using truck loading tickets and once per month monitor the upstream separator pressure.

**Recordkeeping:** The permittee shall record 1) the monthly total throughput of liquids and 2) the monthly separator pressure. Each month the permittee shall use these values to calculate and record 1) a monthly rolling, 12-month total throughput and 2) a monthly rolling, 12-month average separator pressure. Tank breathing and working emissions were calculated using the USEPA Tanks program Version 4.0.9d and tank flashing emissions using HYSIS 2.4.1. Emission rates computed using the same parameters, but with a different Department approved algorithm that exceed these values will not be deemed non-compliance with this permit. Records shall be maintained in accordance with Section B109.

**Reporting:** The permittee shall report in accordance with Section B110.

**A204 Heaters/Boilers – Not required****A205 Turbines**

- A. Periodic Testing for Units 1, 9, & 14

**Requirement:** The permittee shall comply with the allowable emission limits.

**Monitoring:** The permittee shall test using a portable analyzer subject to the requirements and limitations of Section B108, General Monitoring Requirements. For periodic testing of NOx and CO emissions tests shall be carried out as described below. Test results that demonstrate compliance with the NOx and CO emission limits shall also be considered to demonstrate compliance with the volatile organic compound (VOC) emission limits.

(a) The test period shall be annually.

(b) The first test shall occur within the first monitoring period occurring after permit issuance.

(c) All subsequent monitoring shall occur in each succeeding monitoring period. No two monitoring events shall occur closer together in time than 25% of a monitoring period.

(d) Follow the General Testing Procedures of Section B111.

**Recordkeeping:** The permittee shall maintain periodic emissions test records in accordance with Section B109. The permittee shall also record the results of the periodic emissions tests, including the turbine's fuel flow rate and horsepower at the time of the test, and the type of fuel fired (natural gas, field gas, etc.).

If a combustion analyzer is used to measure NOx, CO, and/or excess air in the exhaust gas,

records shall be kept of the make and model of the instrument and instrument calibration data. If an ORSAT apparatus or other gas absorption analyzer is used, the permittee shall record all calibration results.

The permittee shall also keep records of all raw data used to determine exhaust gas flow and of all calculations used to determine flow rates and mass emissions rates.

**Reporting:** The permittee shall submit reports in accordance with Section B110.

B. 40 CFR 60, Subpart GG for Unit 1

**Requirement:** The unit is subject to 40 CFR 60, Subpart GG and the permittee shall comply with the applicable requirements of 40 CFR 60, Subpart A and Subpart GG.

**Monitoring:** The permittee shall comply with the monitoring and testing requirements of 40 CFR 60.334 and 60.335.

**Recordkeeping:** The permittee shall comply with the recordkeeping requirements of 40 CFR 60.334 and 40 CFR 60.7.

**Reporting:** The permittee shall comply with the reporting requirements of 40 CFR 60.7.

C. 40 CFR 60, Subpart KKKK for Units 9 & 14

**Requirement:** Units 9 & 14 are subject to 40 CFR 60, Subpart KKKK and the permittee shall comply with the applicable requirements of 40 CFR 60, Subpart A and Subpart KKKK.

**Monitoring:** The permittee shall comply with all applicable monitoring and testing requirements, including but not limited to 40 CFR 60.4333.

**Recordkeeping:** The permittee shall comply with all applicable recordkeeping requirements, including but not limited to 40 CFR 60.7.

**Reporting:** The permittee shall comply with the reporting requirements of 40 CFR 60.7.

## PART B GENERAL CONDITIONS

### B100 Introduction

A. Not Applicable

### B101 Legal

A. Permit Terms and Conditions (20.2.70 sections 7, 201.B, 300, 301.B, 302, 405 NMAC)

- (1) The permittee shall abide by all terms and conditions of this permit, except as allowed under Section 502(b)(10) of the federal Act, and 20.2.70.302.H.1 NMAC. Any permit noncompliance is grounds for enforcement action, and significant or repetitious noncompliance may result in termination of this permit. Additionally, noncompliance with federally enforceable conditions of this permit constitutes a violation of the federal Act. (20.2.70.302.A.2.a NMAC)
- (2) Emissions trading within a facility (20.2.70.302.H.2 NMAC)

- (a) The Department shall, if an applicant requests it, issue permits that contain terms and conditions allowing for the trading of emissions increases and decreases in the permitted facility solely for the purpose of complying with a federally enforceable emissions cap that is established in the permit in addition to any applicable requirements. Such terms and conditions shall include all terms and conditions required under 20.2.70.302 NMAC to determine compliance. If applicable requirements apply to the requested emissions trading, permit conditions shall be issued only to the extent that the applicable requirements provide for trading such increases and decreases without a case-by-case approval.
  - (b) The applicant shall include in the application proposed replicable procedures and permit terms that ensure the emissions trades are quantifiable and enforceable. The Department shall not include in the emissions trading provisions any emissions units for which emissions are not quantifiable or for which there are no replicable procedures to enforce the emissions trades. The permit shall require compliance with all applicable requirements.
- (3) It shall not be a defense for the permittee in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (20.2.70.302.A.2.b NMAC)
  - (4) If the Department determines that cause exists to modify, reopen and revise, revoke and reissue, or terminate this permit, this shall be done in accordance with 20.2.70.405 NMAC. (20.2.70.302.A.2.c NMAC)
  - (5) The permittee shall furnish any information the Department requests in writing to determine if cause exists for reopening and revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. This information shall be furnished within the time period specified by the Department. Additionally, the permittee shall furnish, upon request by the Department, copies of records required by the permit to be maintained by the permittee. (20.2.70.302.A.2.f NMAC)
  - (6) A request by the permittee that this permit be modified, revoked and reissued, or terminated, or a notification by the permittee of planned changes or anticipated noncompliance, shall not stay any conditions of this permit. (20.2.70.302.A.2.d NMAC)
  - (7) This permit does not convey property rights of any sort, or any exclusive privilege. (20.2.70.302.A.2.e NMAC)
  - (8) In the case where an applicant or permittee has submitted information to the Department under a claim of confidentiality, the Department may also require the applicant or permittee to submit a copy of such information directly to the Administrator of the EPA. (20.2.70.301.B NMAC)

- (9) The issuance of this permit, or the filing or approval of a compliance plan, does not relieve the permittee from civil or criminal liability for failure to comply with the state or federal Acts, or any applicable state or federal regulation or law. (20.2.70.302.A.6 NMAC and the New Mexico Air Quality Control Act NMSA 1978, Chapter 74, Article 2)
- (10) If any part of this permit is challenged or held invalid, the remainder of the permit terms and conditions are not affected and the permittee shall continue to abide by them. (20.2.70.302.A.1.d NMAC)
- (11) A responsible official (as defined in 20.2.70.7.AD NMAC) shall certify the accuracy, truth and completeness of every report and compliance certification submitted to the Department as required by this permit. These certifications shall be part of each document. (20.2.70.300.E NMAC)
- (12) Revocation or termination of this permit by the Department terminates the permittee's right to operate this facility. (20.2.70.201.B NMAC)
- (13) The permittee shall continue to comply with all applicable requirements. For applicable requirements that will become effective during the term of the permit, the permittee shall meet such requirements on a timely basis. (Sections 300.D.10.c and 302.G.3 of 20.2.70 NMAC)

B. Permit Shield (20.2.70.302.J NMAC)

- (1) Compliance with the conditions of this permit shall be deemed to be compliance with any applicable requirements existing as of the date of permit issuance and identified in [Table 103.A](#). The requirements in [Table 103.A](#) are applicable to this facility with specific requirements identified for individual emission units.
- (2) The Department has determined that the requirements in [Table 103.B](#) as identified in the permit application are not applicable to this source, or they do not impose any conditions in this permit.
- (3) This permit shield does not extend to administrative amendments, to minor permit modifications, to changes made under Section 502(b)(10) of the federal Act, or to permit terms for which notice has been given to reopen or revoke all or part.
- (4) This permit shall, for purposes of the permit shield, identify any requirement specifically identified in the permit application or significant permit modification that the department has determined is not applicable to the source, and state the basis for any such determination. (20.2.70.302.A.1.f NMAC)

C. At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate the source including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. (20.2.7.109, 20.2.72.210.A, 20.2.72.210.B, 20.2.72.210.C, 20.2.72.210.E NMAC) The establishment of allowable malfunction emission limits does not supersede this requirement.

**B102 Authority**

- A. This permit is issued pursuant to the federal Clean Air Act ("federal Act"), the New Mexico Air Quality Control Act ("state Act") and regulations adopted pursuant to the state and federal Acts, including Title 20, New Mexico Administrative Code, Chapter 2, Part 70 (20.2.70 NMAC) - Operating Permits.
- B. This permit authorizes the operation of this facility. This permit is valid only for the named permittee, owner, and operator. A permit modification is required to change any of those entities.
- C. The Department specifies with this permit, terms and conditions upon the operation of this facility to assure compliance with all applicable requirements, as defined in 20.2.70 NMAC at the time this permit is issued. (20.2.70.302.A.1 NMAC)
- D. Pursuant to the New Mexico Air Quality Control Act NMSA 1978, Chapter 74, Article 2, all terms and conditions in this permit, including any provisions designed to limit this facility's potential to emit, are enforceable by the Department. All terms and conditions are enforceable by the Administrator of the United States Environmental Protection Agency ("EPA") and citizens under the federal Act, unless the term or condition is specifically designated in this permit as not being enforceable under the federal Act. (20.2.70.302.A.5 NMAC).
- E. The Department is the Administrator for 40 CFR Parts 60, 61, and 63 pursuant to the delegation and exceptions of section 10 of 20.2.77 NMAC (NSPS), 20.2.78 NMAC (NESHAP), and 20.2.82 NMAC (MACT).

**B103 Annual Fee**

- A. The permittee shall pay Title V fees to the Department consistent with the fee schedule in 20.2.71 NMAC - Operating Permit Emission Fees. The fees will be assessed and invoiced separately from this permit. (20.2.70.302.A.1.e NMAC)

**B104 Appeal Procedures**  
(20.2.70.403.A NMAC)

- A. Any person who participated in a permitting action before the Department and who is adversely affected by such permitting action, may file a petition for a hearing before the Environmental Improvement Board ("board"). The petition shall be made in writing to the board within thirty (30) days from the date notice is given of the Department's action and shall specify the portions of the permitting action to which the petitioner objects, certify that a copy of the petition has been mailed or hand-delivered, and attach a copy of the permitting action for which review is sought. Unless a timely request for a hearing is made, the decision of the Department shall be final. The petition shall be copied simultaneously to the Department upon receipt of the appeal notice. If the

petitioner is not the applicant or permittee, the petitioner shall mail or hand-deliver a copy of the petition to the applicant or permittee. The Department shall certify the administrative record to the board. Petitions for a hearing shall be sent to:

Secretary, New Mexico Environmental Improvement Board  
1190 St. Francis Drive, Runnels Bldg. Rm N2153  
P.O. Box 5469  
Santa Fe, New Mexico 87502

#### **B105 Submittal of Reports and Certifications**

- A. Stack Test Protocols and Stack Test Reports shall be submitted electronically to [Stacktest.AQB@state.nm.us](mailto:Stacktest.AQB@state.nm.us).
- B. Excess Emission Reports shall be submitted electronically to [eereports.aqb@state.nm.us](mailto:eereports.aqb@state.nm.us). (20.2.7.110 NMAC)
- C. Compliance Certification Reports, Semi-Annual monitoring reports, compliance schedule progress reports, and any other compliance status information required by this permit shall be certified by the responsible official and submitted to:

Manager, Compliance and Enforcement Section  
New Mexico Environment Department  
Air Quality Bureau  
1301 Siler Road, Building B  
Santa Fe, NM 87507-3113

- D. Compliance Certification Reports shall also be submitted to the Administrator at the address below (20.2.70.302.E.3 NMAC):

Chief, Air Enforcement Section  
US EPA Region-6, 6EN-AA  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733

#### **B106 NSPS and/or MACT Startup, Shutdown, and Malfunction Operations**

- A. If a facility is subject to a NSPS standard in 40 CFR 60, each owner or operator that installs and operates a continuous monitoring device required by a NSPS regulation shall comply with the excess emissions reporting requirements in accordance with 40 CFR 60.7(c).
- B. If a facility is subject to a NSPS standard in 40 CFR 60, then in accordance with 40 CFR 60.8(c), emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction shall not be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.



- C. If a facility is subject to a MACT standard in 40 CFR 63, then the facility is subject to the requirement for a Startup, Shutdown and Malfunction Plan (SSM) under 40 CFR 63.6(e)(3), unless specifically exempted in the applicable subpart. (20.2.70.302.A.1 and A.4 NMAC)

**B107 Startup, Shutdown, and Maintenance Operations**

- A. The permittee shall operate in accordance with the procedures set forth in the plan to minimize emissions during routine or predictable start up, shut down, and scheduled maintenance (SSM work practice plan), except for operations or equipment subject to condition B106 above. (20.2.7.14.A NMAC)

**B108 General Monitoring Requirements**

(20.2.70. 302.A and C NMAC)

- A. These requirements do not supersede or relax requirements of federal regulations.
- B. The following monitoring and/or testing requirements shall be used to determine compliance with applicable requirements and emission limits. Any sampling, whether by portable analyzer or EPA reference method, that measures an emission rate over the applicable averaging period greater than an emission limit in this permit constitutes noncompliance with this permit. The Department may require, at its discretion, additional tests pursuant to EPA Reference Methods at any time, including when sampling by portable analyzer measures an emission rate greater than an emission limit in this permit; but such requirement shall not be construed as a determination that the sampling by portable analyzer does not establish noncompliance with this permit and shall not stay enforcement of such noncompliance based on the sampling by portable analyzer.
- C. If the emission unit is shutdown at the time when periodic monitoring is due to be accomplished, the permittee is not required to restart the unit for the sole purpose of performing the monitoring. Using electronic or written mail, the permittee shall notify the Department's Enforcement Section of a delay in emission tests prior to the deadline for accomplishing the tests. Upon recommencing operation, the permittee shall submit any pertinent pre-test notification requirements set forth in the current version of the Department's Standard Operating Procedures For Use Of Portable Analyzers in Performance Test, and shall accomplish the monitoring.
- D. The requirement for monitoring during any monitoring period is based on the percentage of time that the unit has operated. However, to invoke monitoring exemptions at B108.D(2), hours of operation shall be monitored and recorded.
  - (1) If the emission unit has operated for more than 25% of a monitoring period, then the permittee shall conduct monitoring during that period.

- (2) If the emission unit has operated for 25% or less of a monitoring period then the monitoring is not required. After two successive periods without monitoring, the permittee shall conduct monitoring during the next period regardless of the time operated during that period, except that for any monitoring period in which a unit has operated for less than 10% of the monitoring period, the period will not be considered as one of the two successive periods.
  - (3) A minimum of one of each type of monitoring activity shall be conducted during the five year term of this permit.
- E. The permittee is not required to report a deviation for any monitoring or testing in a Specific Condition if the deviation was authorized in this General Condition [B108](#).
- F. For all periodic monitoring events, except when a federal or state regulation is more stringent, three test runs shall be conducted at 90% or greater of the unit's capacity as stated in this permit, or in the permit application if not in the permit, and at additional loads when requested by the Department. If the 90% capacity cannot be achieved, the monitoring will be conducted at the maximum achievable load under prevailing operating conditions except when a federal or state regulation requires more restrictive test conditions. The load and the parameters used to calculate it shall be recorded to document operating conditions and shall be included with the monitoring report.
- G. When requested by the Department, the permittee shall provide schedules of testing and monitoring activities. Compliance tests from previous NSR and Title V permits may be re-imposed if it is deemed necessary by the Department to determine whether the source is in compliance with applicable regulations or permit conditions.
- H. If monitoring is new or is in addition to monitoring imposed by an existing applicable requirement, it shall become effective 120 days after the date of permit issuance. For emission units that have not commenced operation, the associated new or additional monitoring shall not apply until 120 days after the units commence operation. All pre-existing monitoring requirements incorporated in this permit shall continue to apply from the date of permit issuance.

**B109 General Recordkeeping Requirements**  
(20.2.70.302.D NMAC)

- A. The permittee shall maintain records to assure and verify compliance with the terms and conditions of this permit and any applicable requirements that become effective during the term of this permit. The minimum information to be included in these records is (20.2.70.302.D.1 NMAC):
  - (1) equipment identification (include make, model and serial number for all tested equipment and emission controls);
  - (2) date(s) and time(s) of sampling or measurements;

- (3) date(s) analyses were performed;
  - (4) the qualified entity that performed the analyses;
  - (5) analytical or test methods used;
  - (6) results of analyses or tests; and
  - (7) operating conditions existing at the time of sampling or measurement.
- B. The permittee shall keep records of all monitoring data, equipment calibration, maintenance, and inspections, Data Acquisition and Handling System (DAHS) if used, reports, and other supporting information required by this permit for at least five (5) years from the time the data was gathered or the reports written. Each record shall clearly identify the emissions unit and/or monitoring equipment, and the date the data was gathered. (20.2.70.302.D.2 NMAC)
- C. If the permittee has applied and received approval for an alternative operating scenario, then the permittee shall maintain a log at the facility, which documents, contemporaneously with any change from one operating scenario to another, the scenario under which the facility is operating. (20.2.70.302.A.3 NMAC)
- D. The permittee shall keep a record describing off permit changes made at this source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes. (20.2.70.302.I.2 NMAC)
- E. Malfunction emissions and routine and predictable emissions during startup, shutdown, and scheduled maintenance (SSM):
- (1) The permittee shall keep records of all events subject to the plan to minimize emissions during routine or predictable SSM. (20.2.7.14.A NMAC)
  - (2) If the facility has allowable SSM emission limits in this permit, the permittee shall record all SSM events, including the date, the start time, the end time, and a description of the event. This record also shall include a copy of the manufacturer's, or equivalent, documentation showing that any maintenance qualified as scheduled. Scheduled maintenance is an activity that occurs at an established frequency pursuant to a written protocol published by the manufacturer or other reliable source. The authorization of allowable SSM emissions does not supersede any applicable federal or state standard. The most stringent requirement applies.
  - (3) If the facility has allowable malfunction emission limits in this permit, the permittee shall record all malfunction events to be applied against these limits, including the date, the start time, the end time, and a description of the event. **Malfunction means** any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential

to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions. (40 CFR 63.2, 20.2.7.7.E NMAC) The authorization of allowable malfunction emissions does not supersede any applicable federal or state standard. The most stringent requirement applies. This authorization only allows the permittee to avoid submitting reports under 20.2.7 NMAC for total annual emissions that are below the authorized limit.

**B110 General Reporting Requirements**  
(20.2.70.302.E NMAC)

- A. Reports of required monitoring activities for this facility shall be submitted to the Department on the schedule in section A109. Monitoring and recordkeeping requirements that are not required by a NSPS or MACT shall be maintained on-site or (for unmanned sites) at the nearest company office, and summarized in the semi-annual reports, unless alternative reporting requirements are specified in the equipment specific requirements section of this permit.
- B. Reports shall clearly identify the subject equipment showing the emission unit ID number according to this operating permit. In addition, all instances of deviations from permit requirements, including those that occur during emergencies, shall be clearly identified in the reports required by section A109. (20.2.70.302.E.1 NMAC)
- C. The permittee shall submit reports of all deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. (20.2.70.302.E.2 NMAC)
  - (1) In accordance with 40 C.F.R. Section 70.6(a)(3)(iii)(B), "Prompt Reporting" is defined as:
    - (a) The permittee shall submit reports of all deviations (including emergencies) from permit monitoring or testing requirements to the Department. The permittee shall communicate initial notice of the deviation to the Department within twenty-four (24) hours of the start of the first business day following the discovery of the occurrence via telephone, facsimile, or email. Within ten (10) calendar days of the start of the first business day following the discovery of the occurrence, written notice shall be submitted to the Department. Deviations resulting in excess emissions shall be submitted on the current version of the Excess Emissions Form, and deviations that do not result in excess emissions shall be submitted on the "Deviation" form.
    - (b) The permittee shall submit reports of all deviations from permit recordkeeping or reporting requirements to the Department. These reports shall be contained in the semi-annual reports required in section A109.

- D. The permittee shall submit reports of excess emissions in accordance with 20.2.7.110.A NMAC.
- E. Results of emission tests and monitoring for each pollutant (except opacity) shall be reported in pounds per hour (unless otherwise specified) and tons per year. Opacity shall be reported in percent. The number of significant figures corresponding to the full accuracy inherent in the testing instrument or Method test used to obtain the data shall be used to calculate and report test results in accordance with 20.2.1.116.B and C NMAC. Upon request by the Department, CEMS and other tabular data shall be submitted in editable, MS Excel format.
- F. At such time as new units are installed as authorized by the applicable NSR Permit, the permittee shall fulfill the notification requirements in the NSR permit.
- G. Periodic Emissions Test Reporting: The permittee shall report semi-annually a summary of the test results.
- H. The permittee shall submit an emissions inventory for this facility annually. The emissions inventory shall be submitted by the later of April 1 or within 90 days after the Department makes such request. (20.2.73 NMAC and 20.2.70.302.A.1 NMAC)
- I. Emissions trading within a facility (20.2.70.302.H.2 NMAC)
  - (1) For each such change, the permittee shall provide written notification to the department and the administrator at least seven (7) days in advance of the proposed changes. Such notification shall state when the change will occur and shall describe the changes in emissions that will result and how these increases and decreases in emissions will comply with the terms and conditions of the permit.
  - (2) The permittee and department shall attach each such notice to their copy of the relevant permit.

#### **B111 General Testing Requirements**

##### **A. Compliance Tests**

- (1) Compliance test requirements from previous permits (if any) are still in effect, unless the tests have been satisfactorily completed. Compliance tests may be re-imposed if it is deemed necessary by the Department to determine whether the source is in compliance with applicable regulations or permit conditions. (20.2.72 NMAC Sections 210.C and 213)
- (2) Compliance tests shall be conducted within sixty (60) days after the unit(s) achieve the maximum normal production rate. If the maximum normal production rate does not occur within one hundred twenty (120) days of source

startup, then the tests must be conducted no later than one hundred eighty (180) days after initial startup of the source.

- (3) Unless otherwise indicated by Specific Conditions or regulatory requirements, the default time period for each test run shall be **at least** 60 minutes and each performance test shall consist of three separate runs using the applicable test method. For the purpose of determining compliance with an applicable emission limit, the arithmetic mean of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Department approval, be determined using the arithmetic mean of the results of the two other runs.
- (4) Testing of emissions shall be conducted with the emissions unit operating at 90 to 100 percent of the maximum operating rate allowed by the permit. If it is not possible to test at that rate, the source may test at a lower operating rate, subject to the approval of the Department.
- (5) Testing performed at less than 90 percent of permitted capacity will limit emission unit operation to 110 percent of the tested capacity until a new test is conducted.
- (6) If conditions change such that unit operation above 110 percent of tested capacity is possible, the source must submit a protocol to the Department within 30 days of such change to conduct a new emissions test.

**B. EPA Reference Method Tests**

- (1) All compliance tests required by this permit, unless otherwise specified by Specific Conditions of this permit, shall be conducted in accordance with the requirements of 40 CFR 60, Subpart A, General Provisions, and the following EPA Reference Methods as specified by 40 CFR 60, Appendix A:
  - (a) Methods 1 through 4 for stack gas flowrate
  - (b) Method 5 for TSP
  - (c) Method 6C and 19 for SO<sub>2</sub>
  - (d) Method 7E for NO<sub>x</sub> (test results shall be expressed as nitrogen dioxide (NO<sub>2</sub>) using a molecular weight of 46 lb/lb-mol in all calculations (each ppm of NO/NO<sub>2</sub> is equivalent to  $1.194 \times 10^{-7}$  lb/SCF))
  - (e) Method 9 for opacity
  - (f) Method 10 for CO
  - (g) Method 19 may be used in lieu of Methods 1-4 for stack gas flowrate upon approval of the Department. A justification for this proposal must be

provided along with a contemporaneous fuel gas analysis (preferably on the day of the test) and a recent fuel flow meter calibration certificate (within the most recent quarter).

- (h) Method 7E or 20 for Turbines per 60.335 or 60.4400
  - (i) Method 29 for Metals
  - (j) Method 201A for filterable PM<sub>10</sub> and PM<sub>2.5</sub>
  - (k) Method 202 for condensable PM
  - (l) Method 320 for organic Hazardous Air Pollutants (HAPs)
  - (m) Method 25A for VOC reduction efficiency
- (2) Alternative test method(s) may be used if the Department approves the change.

C. Periodic Monitoring and Portable Analyzer Requirements

- (1) Periodic emissions tests (periodic monitoring) may be conducted in accordance with EPA Reference Methods or by utilizing a portable analyzer. Periodic monitoring utilizing a portable analyzer shall be conducted in accordance with the requirements of ASTM D 6522-00. However, if a facility has met a previously approved Department criterion for portable analyzers, the analyzer may be operated in accordance with that criterion until it is replaced.
- (2) Unless otherwise indicated by Specific Conditions or regulatory requirements, the default time period for each test run shall be as follows:
  - (a) For quarterly monitoring, **at least** 20 minutes
  - (b) For annual monitoring, at least 60 minutes

Each performance test shall consist of three separate runs. The arithmetic mean of results of the three runs shall be used to determine compliance with the applicable emission limit.

- (3) Testing of emissions shall be conducted with the emissions unit operating at 90 to 100 percent of the maximum operating rate allowed by the permit. If it is not possible to test at that rate, the source may test at a lower operating rate, subject to prior approval of the Department.
- (4) During emissions tests, pollutant, O<sub>2</sub> concentration and fuel flow rate shall be monitored and recorded. This information shall be included with the test report furnished to the Department.
- (5) Pollutant emission rate shall be calculated in accordance with 40 CFR 60, Appendix A, Method 19 utilizing fuel flow rate (scf) and fuel heating value (Btu/scf) obtained during the test.

D. Test Procedures:

- (1) The permittee shall notify the Department's Program Manager, Compliance and Enforcement Section at least thirty (30) days before the test date and allow a representative of the Department to be present at the test.
- (2) Equipment shall be tested in the "as found" condition. Equipment may not be adjusted or tuned prior to any test for the purpose of lowering emissions, and then returned to previous settings or operating conditions after the test is complete.
- (3) Contents of test notifications, protocols and test reports shall conform to the format specified by the Department's Universal Test Notification, Protocol and Report Form and Instructions. Current forms and instructions are posted to NMED's Air Quality web site under Compliance and Enforcement Testing.
- (4) The permittee shall provide (a) sampling ports adequate for the test methods applicable to the facility, (b) safe sampling platforms, (c) safe access to sampling platforms and (d) utilities for sampling and testing equipment.
- (5) The stack shall be of sufficient height and diameter and the sample ports shall be located so that a representative test of the emissions can be performed in accordance with the requirements of EPA Method 1 or ASTM D 6522-00 as applicable.
- (6) Where necessary to prevent cyclonic flow in the stack, flow straighteners shall be installed
- (7) Unless otherwise indicated by Specific Conditions or regulatory requirements, test reports shall be submitted to the Department no later than 30 days after completion of the test.

**B112 Compliance**

- A. The Department shall be given the right to enter the facility at all reasonable times to verify the terms and conditions of this permit. Required records shall be organized by date and subject matter and shall at all times be readily available for inspection. The permittee, upon verbal or written request from an authorized representative of the Department who appears at the facility, shall immediately produce for inspection or copying any records required to be maintained at the facility. Upon written request at other times, the permittee shall deliver to the Department paper or electronic copies of any and all required records maintained on site or at an off-site location. Requested records shall be copied and delivered at the permittee's expense within three business days from receipt of request unless the Department allows additional time. Required records may include records required by permit and other information necessary to demonstrate compliance with terms and conditions of this permit. (NMSA 1978, Section 74-2-13)
- B. A copy of the most recent permit(s) issued by the Department shall be kept at the permitted facility or (for unmanned sites) at the nearest company office and shall be



made available to Department personnel for inspection upon request.  
(20.2.70.302.G.3 NMAC)

- C. Emissions limits associated with the energy input of a Unit, i.e. lb/MMBtu, shall apply at all times unless stated otherwise in a Specific Condition of this permit. The averaging time for each emissions limit, including those based on energy input of a Unit (i.e. lb/MMBtu) is one (1) hour unless stated otherwise in a Specific Condition of this permit or in the applicable requirement that establishes the limit.  
(20.2.70.302.A.1 and G.3 NMAC)
- D. The permittee shall submit compliance certification reports certifying the compliance status of this facility with respect to all permit terms and conditions, including applicable requirements. These reports shall be made on the pre-populated Compliance Certification Report Form that is provided to the permittee by the Department, and shall be submitted to the Department and to EPA at least every 12 months. For the most current form, please contact the Compliance Reports Group at email:reportsgroup.aqb@state.nm.us. For additional reporting guidance see [http://www.nmenv.state.nm.us/aqb/enforce\\_compliance/TitleVReporting.htm](http://www.nmenv.state.nm.us/aqb/enforce_compliance/TitleVReporting.htm).  
(20.2.70.302.E.3 NMAC)
- E. The permittee shall allow representatives of the Department, upon presentation of credentials and other documents as may be required by law, to do the following  
(20.2.70.302.G.1 NMAC):
  - (1) enter the permittee's premises where a source or emission unit is located, or where records that are required by this permit to be maintained are kept;
  - (2) have access to and copy, at reasonable times, any records that are required by this permit to be maintained;
  - (3) inspect any facilities, equipment (including monitoring and air pollution control equipment), work practices or operations regulated or required under this permit; and
  - (4) sample or monitor any substances or parameters for the purpose of assuring compliance with this permit or applicable requirements or as otherwise authorized by the federal Act.

### **B113 Permit Reopening and Revocation**

- A. This permit will be reopened and revised when any one of the following conditions occurs, and may be revoked and reissued when A(3) or A(4) occurs.  
(20.2.70.405.A.1 NMAC)
  - (1) Additional requirements under the federal Act become applicable to this source three (3) or more years before the expiration date of this permit. If the effective date of the requirement is later than the expiration date of this permit, then the permit is not required to be reopened unless the original permit or any of its terms

and conditions has been extended due to the Department's failure to take timely action on a request by the permittee to renew this permit.

- (2) Additional requirements, including excess emissions requirements, become applicable to this source under Title IV of the federal Act (the acid rain program). Upon approval by the Administrator, excess emissions offset plans will be incorporated into this permit.
  - (3) The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the terms and conditions of the permit.
  - (4) The Department or the Administrator determines that the permit must be revised or revoked and reissued to assure compliance with an applicable requirement.
- B. Proceedings to reopen or revoke this permit shall affect only those parts of this permit for which cause to reopen or revoke exists. Emissions units for which permit conditions have been revoked shall not be operated until new permit conditions have been issued for them. (20.2.70.405.A.2 NMAC)

**B114 Emergencies**

(20.2.70.304 NMAC)

- A. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the permittee, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, or careless or improper operation.
- B. An emergency constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations contained in this permit if the permittee has demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
- (1) An emergency occurred and that the permittee can identify the cause(s) of the emergency;
  - (2) This facility was at the time being properly operated;
  - (3) During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit; and
  - (4) The permittee submitted notice of the emergency to the Department within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice fulfills the requirement of 20.2.70.302.E.2 NMAC. This

notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

- C. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- D. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

**B115 Stratospheric Ozone**  
(20.2.70.302.A.1 NMAC)

- A. If this facility is subject to 40 CFR 82, Subpart F, the permittee shall comply with the following standards for recycling and emissions reductions:
  - (1) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices. (subsection 82.156)
  - (2) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment. (subsection 82.158)
  - (3) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program. (subsection 82.161)

**B116 Acid Rain Sources**  
(20.2.70.302.A.9 NMAC)

- A. If this facility is subject to the federal acid rain program under 40 CFR 72, this section applies.
- B. Where an applicable requirement of the federal Act is more stringent than an applicable requirement of regulations promulgated under Title IV of the federal Act, both provisions are incorporated into this permit and are federally enforceable.
- C. Emissions exceeding any allowances held by the permittee under Title IV of the federal Act or the regulations promulgated thereunder are prohibited.
- D. No modification of this permit is required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program, provided that such increases do not require a permit modification under any other applicable requirement.
- E. The permittee may not use allowances as a defense to noncompliance with any other applicable requirement.

- F. No limit is placed on the number of allowances held by the acid rain source. Any such allowance shall be accounted for according to the procedures established in regulations promulgated under Title IV of the federal Act.
- G. The acid rain permit is an enclosure of this operating permit.

**B117 Risk Management Plan**  
(20.2.70.302.A.1 NMAC)

- A. If this facility is subject to the federal risk management program under 40 CFR 68, this section applies.
- B. The owner or operator shall certify annually that they have developed and implemented a RMP and are in compliance with 40 CFR 68.
- C. If the owner or operator of the facility has not developed and submitted a risk management plan according to 40 CFR 68.150, the owner or operator shall provide a compliance schedule for the development and implementation of the plan. The plan shall describe, in detail, procedures for assessing the accidental release hazard, preventing accidental releases, and developing an emergency response plan to an accidental release. The plan shall be submitted in a method and format to a central point as specified by EPA prior to the date specified in 40 CFR 68.150.b.

**PART C MISCELLANEOUS**

**C100 Supporting On-Line Documents**

- A. Copies of the following documents can be downloaded from NMED's web site under Compliance and Enforcement or requested from the Bureau.
  - (1) Excess Emission Form (for reporting deviations and emergencies)
  - (2) Compliance Certification Report Form
  - (3) Universal Stack Test Notification, Protocol and Report Form and Instructions
  - (4) SOP for Use of Portable Analyzers in Performance Tests

**C101 Definitions**

- A. **"Daylight"** is defined as the time period between sunrise and sunset, as defined by the Astronomical Applications Department of the U.S. Naval Observatory. (Data for one day or a table of sunrise/sunset for an entire year can be obtained at <http://aa.usno.navy.mil/>. Alternatively, these times can be obtained from a Farmers Almanac or from <http://www.almanac.com/rise/>).

- B. **“Exempt Sources”** and **“Exempt Activities”** is defined as those sources or activities that are exempted in accordance with 20.2.72.202 NMAC. Note; exemptions are only valid for most 20.2.72 permitting action.
- C. **“Fugitive emission”** means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.
- D. **“Insignificant Activities”** means those activities which have been listed by the department and approved by the administrator as insignificant on the basis of size, emissions or production rate.
- E. **“Natural Gas”** is defined as a naturally occurring fluid mixture of hydrocarbons that contains 20.0 grains or less of total sulfur per 100 standard cubic feet (SCF) and is either composed of at least 70% methane by volume or has a gross calorific value of between 950 and 1100 Btu per standard cubic foot. (40 CFR 60.631)
- F. **“Natural Gas Liquids”** means the hydrocarbons, such as ethane, propane, butane, and pentane, that are extracted from field gas. (40 CFR 60.631)
- G. **“National Ambient air Quality Standards”** means, unless otherwise modified, the primary (health-related) and secondary (welfare-based) federal ambient air quality standards promulgated by the US EPA pursuant to Section 109 of the Federal Act.
- H. **“NO<sub>2</sub>”** or **“Nitrogen dioxide”** means the chemical compound containing one atom of nitrogen and two atoms of oxygen, for the purposes of ambient determinations. The term **“nitrogen dioxide,”** for the purposes of stack emissions monitoring, shall include nitrogen dioxide (the chemical compound containing one atom of nitrogen and two atoms of oxygen), nitric oxide (the chemical compound containing one atom of nitrogen and one atom of oxygen), and other oxides of nitrogen which may test as nitrogen dioxide and is sometimes referred to as NO<sub>x</sub> or NO<sub>x</sub>. (20.2.2 NMAC)
- I. **“NO<sub>x</sub>”** see NO<sub>2</sub>
- J. **“Potential Emission Rate”** means the emission rate of a source at its maximum capacity to emit a regulated air contaminant under its physical and operational design, provided any physical or operational limitation on the capacity of the source to emit a regulated air contaminant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed, shall be treated as part of its physical and operational design only if the limitation or the effect it would have on emissions is enforceable by the department pursuant to the Air Quality Control Act or the federal Act.
- K. **“Restricted Area”** is an area to which public entry is effectively precluded. Effective barriers include continuous fencing, continuous walls, or other continuous barriers approved by the Department, such as rugged physical terrain with a steep grade that would require special equipment to traverse. If a large property is completely

enclosed by fencing, a restricted area within the property may be identified with signage only. Public roads cannot be part of a Restricted Area.

- L. **"Shutdown"** , for requirements under 20.2.72 NMAC, means the cessation of operation of any air pollution control equipment, process equipment or process for any purpose, except routine phasing out of batch process units.
- M. **"SSM"** , for requirements under 20.2.7 NMAC, means routine or predictable startup, shutdown, or scheduled maintenance.
  - (1) **"Shutdown"** , for requirements under 20.2.7 NMAC, means the cessation of operation of any air pollution control equipment or process equipment.
  - (2) **"Startup"** , for requirements under 20.2.7 NMAC, means the setting into operation of any air pollution control equipment or process equipment.
- N. **"Startup"** , for requirements under 20.2.72 NMAC, means the setting into operation of any air pollution control equipment, process equipment or process for any purpose, except routine phasing in of batch process units.

## C102 Acronyms

2SLB .....	2-stroke lean burn
4SLB .....	4-stroke lean burn
4SRB .....	4-stroke rich burn
acfm.....	actual cubic feet per minute
AFR.....	air fuel ratio
AP-42 .....	EPA Air Pollutant Emission Factors
AQB .....	Air Quality Bureau
AQCR .....	Air Quality Control Region
ASTM .....	American Society for Testing & Materials
BTU.....	British Thermal Unit
CAA.....	Clean Air Act of 1970 and 1990 Amendments
CEM.....	continuous emissions monitoring
cfh .....	cubic feet per hour
cfm .....	cubic feet per minute
CFR.....	Code of Federal Regulation
CI .....	compression ignition
CO .....	carbon monoxide
COMS .....	continuous opacity monitoring system
EIB .....	Environmental Improvement Board
EPA .....	United States Environmental Protection Agency
gr./100 cf .....	grains per one hundred cubic feet
gr./dscf .....	grains per dry standard cubic foot
GRI.....	Gas Research Institute
H <sub>2</sub> S .....	hydrogen sulfide

HAP	hazardous air pollutant
hp	horsepower
IC	Internal Combustion
KW/hr	kilowatts per hour
lb/hr	pounds per hour
lb/MMBtu	pounds per million British Thermal Unit
MACT	Maximum Achievable Control Technology
MMcf/hr	million cubic feet per hour
MMscf	million standard cubic feet
N/A	not applicable
NAAQS	National Ambient Air Quality Standards
NESHAP	National Emission Standards for Hazardous Air Pollutants
NG	natural gas
NGL	natural gas liquids
NMAAQs	New Mexico Ambient Air Quality Standards
NMAC	New Mexico Administrative Code
NMED	New Mexico Environment Department
NMSA	New Mexico Statutes Annotated
NO <sub>x</sub>	nitrogen oxides
NSCR	non-selective Catalytic Reduction
NSPS	New Source Performance Standard
NSR	New Source Review
PEM	parametric emissions monitoring
PM	particulate matter (equivalent to TSP, total suspended particulate)
PM <sub>10</sub>	particulate matter 10 microns and less in diameter
PM <sub>2.5</sub>	particulate matter 2.5 microns and less in diameter
pph	pounds per hour
ppmv	parts per million by volume
PSD	Prevention of Significant Deterioration
RATA	relative accuracy test assessment
RICE	reciprocating internal combustion engine
rpm	revolutions per minute
scfm	standard cubic feet per minute
SI	spark ignition
SO <sub>2</sub>	sulfur dioxide
SSM	Startup Shutdown Maintenance (see SSM definition)
TAP	Toxic Air Pollutant
TBD	to be determined
THC	total hydrocarbons
TSP	Total Suspended Particulates
tpy	tons per year
ULSD	ultra-low sulfur diesel
USEPA	United States Environmental Protection Agency
UTM	Universal Transverse Mercator Coordinate System
UTMH	Universal Transverse Mercator Horizontal

UTMV ..... Universal Transverse Mercator Vertical  
VHAP ..... volatile hazardous air pollutant  
VOC ..... volatile organic compounds